



*Small*

1638

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Schmülling et al.

**Examiner:** S. Baum

**Serial No.:** 10/014,101

**Group:** Art Unit 1638

**Filed:** May 5, 2002

**Docket:** 1187-26

**For: METHOD FOR ENHANCING  
MODIFYING PLANT MORPHOLOGY,  
BIOCHEMISTRY AND PHYSIOLOGY**

**Dated:** March 17, 2004

MAIL STOP: NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.

☒ No additional fee is required.

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate (Small Entity)	Addit. Fee	Rate	Addit. Fee
TOTAL CLAIMS	276	276	0	x 9 =	\$0	x 18 =	\$0
INDEPENDENT CLAIMS	11	11	0	x 43 =	\$0	x 86 =	\$0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				145		290	\$0

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 222313-1450 on March 17, 2004.

Dated: March 17, 2004

Bridget Griffin

- ☐ Please charge Deposit Account No. 04-1121 in the amount of \$\_\_\_\_. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$0 is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,



Ann R. Pokalsky  
Reg. No. 34,697  
Attorney for Applicants

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(516) 228-8484  
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PATENT

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**RESPONSE TO UNDER 37 C.F.R. §1.111 AND 1.143**

Sir:

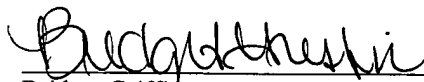
In response to the Office Action dated February 17, 2004, setting forth a requirement for restriction, and in accordance with the provisions of 37 C.F.R. §§1.111 and 1.143, Applicants provisionally elect, with traverse, the subject matter of Group I, Claims 1-4, 7-17, 25, 28-44, 46-47, 49-50, 52-53, 79-81, 86-87, 90-92, 95-101, and 103-137, drawn to a method for stimulating root growth or enhancing the formation of lateral or adventitious roots, comprising expression of a nucleic acid molecule encoding a plant cytokinin oxidase, an isolated nucleic acid molecule encoding a plant protein having cytokinin oxidase activity or vector and host cell transformed therewith; a method for increasing the size of the root

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Dated: March 17, 2004

  
Bridget Griffin

meristem, a method for altering leaf senescence, a method of increasing leaf thickness, a method for reducing vessel size, a method for improving standability of seedlings, a method for increasing branching, a method of increasing seed size or weight, a method for increasing embryo size or weight, a method of increasing cotyledon size or weight, comprising expression of a nucleic acid of claim 3 or 4, classified in class 800, subclass 290 for example.

In addition, as requested by the Examiner, Applicants also provisionally elect, with traverse, SEQ ID NO:26 and SEQ ID NO:4 as the relevant sequences recited in the claims of Group I.